

## DEPARTMENT OF FINANCE BILL ANALYSIS

**AMENDMENT DATE:** 04/25/2012  
**POSITION:** Oppose

**BILL NUMBER:** SB 1264  
**AUTHOR:** Vargas, Juan

### **BILL SUMMARY:** Child abuse reporting: mandated reporters.

This bill would amend existing law to include specified coaching staff to the list of individuals mandated to report suspected child abuse or neglect.

### **FISCAL SUMMARY**

The Judicial Council is unable to predict the number of new misdemeanor filings that would result if this bill were enacted. However, if 50 new misdemeanors were filed, the fiscal impact would be \$24,078 annually to the courts.

The Department of Justice indicates there would be no fiscal impact related to this bill.

The California State University (CSU), University of California (UC), and California Community Colleges Chancellor's Office estimate one-time costs to implement the bill would be approximately \$380,000 to train athletic coaching personnel in the area of child abuse identification and reporting. This includes the cost of developing training course content and materials and administering the training. There would also be ongoing costs to provide training to new employees who would be classified as mandated reporters. However, the California Department of Social Services (DSS) already provides two types of training materials for state mandated reporters, a booklet and on on-line training manual. If the institutions used these existing training materials instead of developing their own, training costs could be significantly reduced. Please see Comments section for additional information.

The California Constitution requires the state to reimburse local entities for increased costs associated with any new program or higher level of service imposed by the state on local entities if the Commission on State Mandates determines that the new program or higher level of service is reimbursable and a state mandate. Any local government costs resulting from the mandate in this measure would not be state-reimbursable because the mandate only involves the definition of a crime or the penalty for conviction of a crime.

### **COMMENTS**

The Department of Finance is opposed to this bill because it would result in additional costs that are inconsistent with the current budget and could potentially result in a reimbursable-state mandate costing tens of thousands of dollars Proposition 98 General Fund.

Existing law establishes the Child Abuse and Neglect Reporting Act (CANRA) and defines persons mandated to report suspected child abuse or neglect as specified. Existing law also defines child abuse or neglect under CANRA and states that failure to report an incident or reasonably suspected child abuse or neglect could be subject to a fine, imprisonment in county jail, or both.

Analyst/Principal (0211) J.Sturges	Date	Program Budget Manager Lisa Ann Mangat	Date
Department Deputy Director		Date	
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

**BILL ANALYSIS--(CONTINUED)****Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

Vargas, Juan

04/25/2012

SB 1264

**COMMENTS** (continued)

This bill would add any athletic coach, assistant coach, or a graduate assistant involved in coaching at public or private postsecondary institutions to the list of persons defined as mandated reporters.

The CSU is in the process of implementing measures that would require specified coaching staff to report child abuse and neglect, including offering training to its athletic coaching personnel in the area of child abuse identification and reporting. The CSU notes that it may use the existing DSS training materials and costs to implement the provisions of this bill would be minimal.

The UC estimates that costs to implement this bill would be approximately \$180,000 in 2012-13 and approximately \$50,000 ongoing. These costs could be minimized if the UC used the existing state training materials.

The California Community Colleges Chancellor's Office estimates that costs to implement this bill would be approximately \$200,000 for local community college district (CCD) to provide training for approximately 4,000 athletic coaches and assistant coaches. These costs would not create a reimbursable-state mandate because colleges are only encouraged, and not required, to provide training. These costs could be minimized if the CCD used the existing state training materials.

However, we note that it is likely that some CCD would claim reimbursable-state mandated costs to perform the following required activities as employers of mandated reporters: (1) provide a form to be signed by coaches that documents their reporting responsibilities; (2) retain the forms; and (3) provide copies of specified sections of the California Penal Code that relate to the Child Abuse and Neglect Reporting Act. However, we would question the premise of a mandated activity because CCDs are not required to hire athletic coaches; moreover, we question whether the required activities would exceed the \$1,000 threshold for creating a reimbursable-state mandated activity. However, in the event that the activities were determined to be a mandate, the cost could be in the tens of thousands of dollars Proposition 98 General Fund. The bill would not create a reimbursable-state mandate because the reporting requirement applies to the reporters as individuals and not to the CCD.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)					
	LA	(Dollars in Thousands)					
	CO	PROP					Fund
	RV	98	FC	2012-2013 FC	2013-2014 FC	2014-2015	Code
0250/Jud Branch	SO	No		----- See Fiscal Summary -----			0932
0820/Justice	SO	No		----- No/Minor Fiscal Impact -----			0001
8885/Comm St Mndt	SO	No		----- See Fiscal Summary -----			0001
6440/UC	SO	No	C	180 C	50 C	50	0001
6610/CSU	SO	No		----- No/Minor Fiscal Impact -----			0001
6870/Comm College	LA	Yes		----- See Fiscal Summary -----			0001
<u>Fund Code</u>		<u>Title</u>					
0001		General Fund					
0932		Trial Court Trust Fund					